

# CONSERVATION Showcase

## ... So You're Thinking About An Easement Program

To some, conservation easements are controversial while to other landowners they answer a strong desire. Seth Fiedler, NRCS resource conservationist, recently took a minute to explain a little about the Farm and Ranchland Protection Program (FRPP).

According to Fiedler, with the 2007 Farm Bill in the works, it may be a good time to consider the model for the USDA “working lands” conservation easement programs – this model is the FRPP. The program provides a mechanism for the federal government to match local funds in support of local conservation easement programs.

As in the other working lands programs (Grassland Reserve Program and Healthy Forest Reserve Program), lands enrolled in FRPP remain largely under private control. The easement holder acquires some of the “bundle of rights” initially held with a “fee simple” title. In FRPP, landowners retain the rights to farm and/or ranch, but forgo other development rights, in favor of a one time payment based on the difference in market value before and after the easement is in effect.

“NRCS New Mexico has collaborated with five local land trusts on the purchase of seven FRPP conservation easements since program changes in the 2002 Farm Bill enabled the states’ non-governmental land trusts to apply for FRPP,” Fiedler said.

The NRCS Taos Field Office reports the Attiyeh Easement on a 34-acre improved pasture parcel just outside Taos, New Mexico exemplifies the benefits of FRPP. This extremely scenic area, just off a well traveled highway,



is part of a traditional farming and ranching area that is increasingly subject to development pressure. On the Attiyeh easement, a private landowner voluntarily relinquished development rights while retaining the deed and right to use the productive lands. The easement is held by the Taos Land Trust, which is responsible for assuring that future land owners understand, and respect, the conservation easement that now runs with the land.

“Experience with FRPP and other easement programs generally shows that a strong desire among current landowners to decide how their land will be cared for in the future is the key to satisfaction with the easement process,” Fiedler said. “While other benefits include potential tax benefits or program payments (like FRPP), an intentional decision to help establish a legacy of conservation is the key.”